

SENATE BILL NO. 111

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE EDUCATION COMMITTEE

Introduced: 3/24/21

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Department of Education and Early Development;**
2 **relating to public schools; relating to early education programs; relating to funding for**
3 **early education programs; relating to school age eligibility; relating to reports by the**
4 **Department of Education and Early Development; relating to reports by school**
5 **districts; relating to certification and competency of teachers; relating to assessing**
6 **reading deficiencies and providing reading intervention services to public school**
7 **students enrolled in grades kindergarten through three; relating to textbooks and**
8 **materials for reading intervention services; establishing a reading program in the**
9 **Department of Education and Early Development; relating to school operating funds;**
10 **relating to a virtual education consortium; and providing for an effective date."**

11 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

12 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section

1 to read:

2 SHORT TITLE. This Act may be known as the Alaska Academic Improvement and
3 Modernization Act.

4 * **Sec. 2.** AS 14.03.060(e) is amended to read:

5 (e) In addition to the grades enumerated in (a) of this section, an elementary
6 school consists of **an early education** [A PRE-ELEMENTARY] program **approved**
7 **or** supervised by the department under AS 14.07.020(a)(8), **including a program**
8 operated by **a head start agency** [THE DEPARTMENT] as a head start program
9 under **42 U.S.C. 9831 - 9852c** [AS 14.38.010, OR LOCATED IN A PUBLIC
10 SCHOOL FOR FEDERAL FUNDING PURPOSES. EXCEPT FOR A CHILD WITH
11 A DISABILITY WHO IS RECEIVING SPECIAL EDUCATION OR RELATED
12 SERVICES UNDER AS 14.30.180 - 14.30.350, PRE-ELEMENTARY STUDENTS
13 MAY NOT BE COUNTED IN A SCHOOL'S AVERAGE DAILY MEMBERSHIP
14 UNDER AS 14.17].

15 * **Sec. 3.** AS 14.03.060(e), as amended by sec. 2 of this Act, is amended to read:

16 (e) In addition to the grades enumerated in (a) of this section, an elementary
17 school consists of an early education program [APPROVED OR] supervised by the
18 department under AS 14.07.020(a)(8), including a program operated by a head start
19 agency as a head start program under 42 U.S.C. 9831 - 9852c.

20 * **Sec. 4.** AS 14.03.072(a) is amended to read:

21 (a) Each school district shall annually provide to parents and guardians of
22 students enrolled in kindergarten through grade three in a public school in the state
23 current information on the importance of early **reading** [LITERACY], including

24 (1) intervention strategies **and reading intervention services**
25 **provided under AS 14.30.765;**

26 (2) home **reading** [LITERACY] plans;

27 (3) grade retention standards and policies for the elementary school
28 attended;

29 (4) strategies and resources to help children learn to read.

30 * **Sec. 5.** AS 14.03.078(a) is amended to read:

31 (a) The department shall provide to the legislature **and school districts** by

February 15 of each year by electronic means an annual report regarding the progress of each school and school district toward high academic performance by all students. The report required under this section must include

- (1) information described under **AS 14.03.120** [AS 14.03.120(d)];
- (2) progress of the department
 - (A) toward implementing the school accountability provisions of AS 14.03.123; and
 - (B) in assisting high schools to become accredited;
- (3) a description of the resources provided to each school and school district for coordinated school improvement activities and staff training in each school and school district;
- (4) each school district's and each school's progress in aligning curriculum with state education performance standards;
- (5) a description of the efforts by the department to assist a public school or district that receives a low performance designation under AS 14.03.123;
- (6) a description of intervention efforts by each school district and school for students who are not meeting state performance standards; [AND]
- (7) the number and percentage of turnover in certificated personnel and superintendents;
- (8) a summary of the categories of certificated administrative employees employed by each school district that includes the ratio of**
 - (A) the number of certificated administrative employees in each category employed by each school district compared to the number of students enrolled in the school district on October 1 of the previous year;**
 - (B) the total number of certificated administrative employees employed by each school district compared to the total number of teachers employed by the school district on October 1 of the previous year; and**
 - (C) the total number of teachers employed by each school district compared to the total number of students enrolled in the school**

district on October 1 of the previous year; and

(9) the progress made to implement the reading intervention programs established under AS 14.30.760 - 14.30.775, including data on how school districts are using in-service days for professional development in reading instruction.

* **Sec. 6.** AS 14.03.078 is amended by adding new subsections to read:

(c) Each school district shall make available to the public the portion of the report under (a)(8) of this section that pertains to the school district by posting the information in a prominent location on the school district's or local community's Internet website or by another easily accessible method.

(d) In this section, "administrative employee" means an employee who does not provide direct classroom instruction for students as a regular part of the employee's job.

* **Sec. 7.** AS 14.03.080(d) is amended to read:

(d) A child who is five years of age on or before **June 1 preceding** [SEPTEMBER 1 FOLLOWING] the beginning of the school year, and who is under school age, may enter a public school kindergarten. **A school district shall allow a child who is four years of age on or before June 1 preceding the beginning of the school year, and who achieves a passing score on an assessment approved by the department, to enter a public school kindergarten.**

* **Sec. 8.** AS 14.03.080 is amended by adding a new subsection to read:

(g) A child who is at least four, but not more than five, years of age on or before June 1 preceding the beginning of the school year and who has not attended a public school kindergarten may enter a public school early education program.

* **Sec. 9.** AS 14.03.120 is amended by adding a new subsection to read:

(h) To the extent allowable under state and federal privacy laws, each district shall annually report to the department information from the previous school year regarding

(1) the number of students and teaching staff assigned to each classroom in grades kindergarten through three;

(2) the number and percentage of students

(A) in grades kindergarten through three who demonstrated improvement on expected grade-level skills on the statewide screening or assessment tool;

(B) in grades kindergarten through three who performed below expected grade-level skills on the statewide screening or assessment tool, by grade;

(C) retained in grades kindergarten through three and the reasons for retention;

(D) in grade three who demonstrated sufficient reading skills to progress to grade four based on the statewide screening or assessment tool;

(E) in grade three who demonstrated sufficient reading skills to progress to grade four based on an alternative standardized reading screening or assessment;

(F) in grade three who demonstrated sufficient reading skills to progress to grade four based on a student reading portfolio;

(G) in grade three who progressed to grade four based on a waiver under AS 14.30.765(f);

(H) in grade three who progressed to grade four based on a good cause exemption under AS 14.30.765(h);

(3) the performance on the statewide screening or assessment tool of students in a grade above grade three who were retained in grade three or who progressed to grade four based on a waiver under AS 14.30.765(f) or a good cause exemption under AS 14.30.765(h).

* **Sec. 10.** AS 14.03 is amended by adding new sections to read:

Article 4. Early Education.

Sec. 14.03.410. Early education programs; grants. (a) The department shall

(1) provide training and assistance to develop and improve district-wide early education programs that comply with standards adopted by the board under AS 14.07.165(a)(5); and

(2) approve district-wide early education programs that comply with the standards adopted by the board under AS 14.07.165(a)(5), subject to the

1 limitations in (d) of this section.

2 (b) The department may award a grant to provide funding for a three-year
3 period for the development or improvement of a district-wide early education program
4 to a district that has not received a grant under this section, applies in a format
5 prescribed by the department, and is eligible for a grant as specified under (c) of this
6 section.

7 (c) The department shall rank the performance of all districts in the state in
8 accordance with the accountability system and performance designations required
9 under AS 14.03.123. The lowest performing districts are eligible for a grant in the
10 following fiscal years:

11 (1) for the fiscal year beginning July 1, 2021, the lowest performing 5
12 districts;

13 (2) for the fiscal year beginning July 1, 2022, the lowest performing 10
14 districts;

15 (3) for the fiscal year beginning July 1, 2023, the lowest performing 20
16 districts.

17 (d) The department may assess at any time a district's early education program
18 and approve the program if the program complies with the standards adopted by the
19 board under AS 14.07.165(a)(5). The number of district-wide early education
20 programs that the department approves in the fiscal year beginning July 1, 2021, may
21 not result in a total cost of more than \$3,000,000. In the fiscal year beginning July 1,
22 2022, and all subsequent fiscal years, the number of district-wide early education
23 programs that the department approves may not result in a total cost increase of more
24 than \$3,000,000 from the prior fiscal year. If the number of programs eligible in a
25 fiscal year exceeds the number of programs that the department may approve under
26 this subsection, the department shall prioritize the approval of programs based on the
27 department's ranking of districts under (c) of this section.

28 (e) If the department does not approve the early education program of a
29 district awarded a grant under (c) of this section by the end of the district's three-year
30 grant period, the department may provide a one-year remediation grant to allow the
31 district one additional fiscal year to meet the early education program standards

adopted by the board under AS 14.07.165(a)(5). If the district is unable to meet the early education program standards at the end of that fiscal year, the department may, in the discretion of the commissioner, provide an additional remediation grant to allow the district not more than one additional fiscal year to meet the standards. Nothing in this section prohibits a district from using its own funds to continue the remediation process.

(f) A student in an early education program may not be counted in a district's ADM under AS 14.17.500 or 14.17.905 unless the department has approved the program under (a)(2) of this section.

(g) A grant under this section is subject to appropriation, but may not supplant other early education funding available to districts.

(h) In this section,

(1) "ADM" has the meaning given in AS 14.17.990;

(2) "district" has the meaning given in AS 14.17.990;

(3) "early education program" means a program

(A) for children who are four and five years of age and who have not attended a public school kindergarten; and

(B) the primary function of which is educational.

Sec. 14.03.420. Parents as teachers program. (a) The department shall design and implement a statewide parents as teachers program for the benefit of children who are under five years of age. The program must provide a system of early childhood education that

(1) is evidence-based;

(2) involves parents;

(3) is consistent with available research and best practices for high quality early childhood education;

(4) incorporates guidelines adopted by the department for early learning that

(A) enhance school readiness;

(B) increase parent understanding of child development and developmental milestones;

(C) reduce the incidence of child abuse and neglect;

(D) increase identification of health problems and developmental delays through regular screenings;

(E) improve child health indicators, including immunization rates; and

(F) increase parental involvement; and

(5) provides for effective and efficient coordination with or expansion of early education programs operating in the state, to the extent permitted by law.

(b) A school district shall, to the extent space is needed and available, provide for the use of a room in a school at no charge to support the program established under this section.

(c) The department shall develop and enter into local partnerships to implement the program established under this section.

* **Sec. 11.** AS 14.07.020(a) is amended to read:

(a) The department shall

(1) exercise general supervision over the public schools of the state except the University of Alaska;

(2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools; the department may consult with the University of Alaska to develop secondary education requirements to improve student achievement in college preparatory courses;

(3) provide advisory and consultative services to all public school governing bodies and personnel;

(4) prescribe by regulation a minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in a foreign language;

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;

(6) accredit those public schools that meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;

(7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards that will ensure healthful and safe conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;

(8) exercise general supervision over early education programs [PRE-ELEMENTARY SCHOOLS] that receive direct state or federal funding, including early education programs provided by a school district for students four and five years of age, and approve early education programs provided by a school district under AS 14.03.410(a)(2);

(9) exercise general supervision over elementary and secondary correspondence study programs offered by municipal school districts or regional educational attendance areas; the department may also offer and make available to any Alaskan through a centralized office a correspondence study program;

(10) accredit private schools that request accreditation and that meet accreditation standards prescribed by regulation by the department; nothing in this paragraph authorizes the department to require religious or other private schools to be licensed;

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction or major maintenance project; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, projected energy consumption and costs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school; the department may consult with businesses and labor unions to develop a program to prepare students for apprenticeships or internships that will lead to employment opportunities;

(13) administer the grants awarded under AS 14.11;

(14) establish, in coordination with the Department of Public Safety, a school bus driver training course;

(15) require the reporting of information relating to school disciplinary and safety programs under AS 14.33.120 and of incidents of disruptive or violent behavior;

(16) establish by regulation criteria, based on low student performance, under which the department may intervene in a school district to improve instructional practices, as described in AS 14.07.030(a)(14) or (15); the regulations must include

(A) a notice provision that alerts the district to the deficiencies and the instructional practice changes proposed by the department;

(B) an end date for departmental intervention, as described in AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three consecutive years of improvement consisting of not less than two percent increases in student proficiency on standards-based assessments in language arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

(C) a process for districts to petition the department for continuing or discontinuing the department's intervention;

(17) notify the legislative committees having jurisdiction over education before intervening in a school district under AS 14.07.030(a)(14) or redirecting public school funding under AS 14.07.030(a)(15);

(18) establish a reading program to provide direct support for and intervention in the reading intervention programs of participating schools as described in AS 14.30.765 and 14.30.770.

* **Sec. 12.** AS 14.07.020(a), as amended by sec. 11 of this Act, is amended to read:

(a) The department shall

1 (1) exercise general supervision over the public schools of the state
2 except the University of Alaska;

3 (2) study the conditions and needs of the public schools of the state,
4 adopt or recommend plans, administer and evaluate grants to improve school
5 performance awarded under AS 14.03.125, and adopt regulations for the improvement
6 of the public schools; the department may consult with the University of Alaska to
7 develop secondary education requirements to improve student achievement in college
8 preparatory courses;

9 (3) provide advisory and consultative services to all public school
10 governing bodies and personnel;

11 (4) prescribe by regulation a minimum course of study for the public
12 schools; the regulations must provide that, if a course in American Sign Language is
13 given, the course shall be given credit as a course in a foreign language;

14 (5) establish, in coordination with the Department of Health and Social
15 Services, a program for the continuing education of children who are held in detention
16 facilities in the state during the period of detention;

17 (6) accredit those public schools that meet accreditation standards
18 prescribed by regulation by the department; these regulations shall be adopted by the
19 department and presented to the legislature during the first 10 days of any regular
20 session, and become effective 45 days after presentation or at the end of the session,
21 whichever is earlier, unless disapproved by a resolution concurred in by a majority of
22 the members of each house;

23 (7) prescribe by regulation, after consultation with the state fire
24 marshal and the state sanitarian, standards that will ensure healthful and safe
25 conditions in the public and private schools of the state, including a requirement of
26 physical examinations and immunizations in pre-elementary schools; the standards for
27 private schools may not be more stringent than those for public schools;

28 (8) exercise general supervision over early education programs that
29 receive direct state or federal funding, including early education programs provided by
30 a school district for students four and five years of age, and approve early education
31 programs provided by a school district under AS 14.03.410(a)(2);

1 (9) exercise general supervision over elementary and secondary
2 correspondence study programs offered by municipal school districts or regional
3 educational attendance areas; the department may also offer and make available to any
4 Alaskan through a centralized office a correspondence study program;

5 (10) accredit private schools that request accreditation and that meet
6 accreditation standards prescribed by regulation by the department; nothing in this
7 paragraph authorizes the department to require religious or other private schools to be
8 licensed;

9 (11) review plans for construction of new public elementary and
10 secondary schools and for additions to and major rehabilitation of existing public
11 elementary and secondary schools and, in accordance with regulations adopted by the
12 department, determine and approve the extent of eligibility for state aid of a school
13 construction or major maintenance project; for the purposes of this paragraph, "plans"
14 include educational specifications, schematic designs, projected energy consumption
15 and costs, and final contract documents;

16 (12) provide educational opportunities in the areas of vocational
17 education and training, and basic education to individuals over 16 years of age who
18 are no longer attending school; the department may consult with businesses and labor
19 unions to develop a program to prepare students for apprenticeships or internships that
20 will lead to employment opportunities;

21 (13) administer the grants awarded under AS 14.11;

22 (14) establish, in coordination with the Department of Public Safety, a
23 school bus driver training course;

24 (15) require the reporting of information relating to school disciplinary
25 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
26 behavior;

27 (16) establish by regulation criteria, based on low student performance,
28 under which the department may intervene in a school district to improve instructional
29 practices, as described in AS 14.07.030(a)(14) or (15); the regulations must include

30 (A) a notice provision that alerts the district to the deficiencies
31 and the instructional practice changes proposed by the department;

(B) an end date for departmental intervention, as described in AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three consecutive years of improvement consisting of not less than two percent increases in student proficiency on standards-based assessments in language arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

(C) a process for districts to petition the department for continuing or discontinuing the department's intervention;

(17) notify the legislative committees having jurisdiction over education before intervening in a school district under AS 14.07.030(a)(14) or redirecting public school funding under AS 14.07.030(a)(15);

(18) establish a reading program to provide direct support for and intervention in the reading intervention programs of participating schools as described in AS 14.30.765 [AND 14.30.770].

* **Sec. 13.** AS 14.07.020(a), as amended by sec. 12 of this Act, is amended to read:

(a) The department shall

(1) exercise general supervision over the public schools of the state except the University of Alaska;

(2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools; the department may consult with the University of Alaska to develop secondary education requirements to improve student achievement in college preparatory courses;

(3) provide advisory and consultative services to all public school governing bodies and personnel;

(4) prescribe by regulation a minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in a foreign language;

(5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;

1 (6) accredit those public schools that meet accreditation standards
2 prescribed by regulation by the department; these regulations shall be adopted by the
3 department and presented to the legislature during the first 10 days of any regular
4 session, and become effective 45 days after presentation or at the end of the session,
5 whichever is earlier, unless disapproved by a resolution concurred in by a majority of
6 the members of each house;

7 (7) prescribe by regulation, after consultation with the state fire
8 marshal and the state sanitarian, standards that will ensure healthful and safe
9 conditions in the public and private schools of the state, including a requirement of
10 physical examinations and immunizations in pre-elementary schools; the standards for
11 private schools may not be more stringent than those for public schools;

12 (8) exercise general supervision over early education programs that
13 receive direct state or federal funding, including early education programs provided by
14 a school district for students four and five years of age [, AND APPROVE EARLY
15 EDUCATION PROGRAMS PROVIDED BY A SCHOOL DISTRICT UNDER
16 AS 14.03.410(a)(2)];

17 (9) exercise general supervision over elementary and secondary
18 correspondence study programs offered by municipal school districts or regional
19 educational attendance areas; the department may also offer and make available to any
20 Alaskan through a centralized office a correspondence study program;

21 (10) accredit private schools that request accreditation and that meet
22 accreditation standards prescribed by regulation by the department; nothing in this
23 paragraph authorizes the department to require religious or other private schools to be
24 licensed;

25 (11) review plans for construction of new public elementary and
26 secondary schools and for additions to and major rehabilitation of existing public
27 elementary and secondary schools and, in accordance with regulations adopted by the
28 department, determine and approve the extent of eligibility for state aid of a school
29 construction or major maintenance project; for the purposes of this paragraph, "plans"
30 include educational specifications, schematic designs, projected energy consumption
31 and costs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, and basic education to individuals over 16 years of age who are no longer attending school; the department may consult with businesses and labor unions to develop a program to prepare students for apprenticeships or internships that will lead to employment opportunities;

(13) administer the grants awarded under AS 14.11;

(14) establish, in coordination with the Department of Public Safety, a school bus driver training course;

(15) require the reporting of information relating to school disciplinary and safety programs under AS 14.33.120 and of incidents of disruptive or violent behavior;

(16) establish by regulation criteria, based on low student performance, under which the department may intervene in a school district to improve instructional practices, as described in AS 14.07.030(a)(14) or (15); the regulations must include

(A) a notice provision that alerts the district to the deficiencies and the instructional practice changes proposed by the department;

(B) an end date for departmental intervention, as described in AS 14.07.030(a)(14)(A) and (B) and (15), after the district demonstrates three consecutive years of improvement consisting of not less than two percent increases in student proficiency on standards-based assessments in language arts and mathematics, as provided in AS 14.03.123(f)(1)(A); and

(C) a process for districts to petition the department for continuing or discontinuing the department's intervention;

(17) notify the legislative committees having jurisdiction over education before intervening in a school district under AS 14.07.030(a)(14) or redirecting public school funding under AS 14.07.030(a)(15);

(18) establish a reading program to provide direct support for and intervention in the reading intervention programs of participating schools as described in AS 14.30.765.

* **Sec. 14.** AS 14.07.020(c) is amended to read:

(c) In this section, "early education program" ["PRE-ELEMENTARY

SCHOOL"] means a **program** [SCHOOL] for children ages three through five years if the **program's** [SCHOOL'S] primary function is educational.

* **Sec. 15.** AS 14.07.050 is amended to read:

Sec. 14.07.050. Selection of textbooks. Textbooks for use in the public schools of the state, including a district offered statewide correspondence study program, shall be selected by district boards for district schools. Nothing in this section precludes

(1) a correspondence study student, or the parent or guardian of a correspondence study student, from privately obtaining or using textbooks or curriculum material not provided by the school district;

(2) the department from selecting and purchasing supplementary reading textbooks and materials for school districts to support reading intervention services provided under AS 14.30.765 and 14.30.770.

* **Sec. 16.** AS 14.07.050, as amended by sec. 15 of this Act, is amended to read:

Sec. 14.07.050. Selection of textbooks. Textbooks for use in the public schools of the state, including a district offered statewide correspondence study program, shall be selected by district boards for district schools. Nothing in this section precludes

(1) a correspondence study student, or the parent or guardian of a correspondence study student, from privately obtaining or using textbooks or curriculum material not provided by the school district;

(2) the department from selecting and purchasing supplementary reading textbooks and materials for school districts to support reading intervention services provided under AS 14.30.765 [AND 14.30.770].

* **Sec. 17.** AS 14.07.165(a) is amended to read:

(a) The board shall adopt

(1) statewide goals and require each governing body to adopt written goals that are consistent with local needs;

(2) regulations regarding the application for and award of grants under AS 14.03.125;

(3) regulations implementing provisions of AS 14.11.014(b);

(4) regulations requiring approval by the board before a charter school, state boarding school, or a public school may provide domiciliary services;

(5) regulations establishing standards for an early education program provided by a school district for children who are four and five years of age; the regulations must include

(A) standards for a locally designed, evidence-based program that meets federal standards for early education programs and complies with the day-in-session requirements provided under AS 14.03.040;

(B) a requirement that a teacher in charge of a program hold a valid teacher certificate issued under AS 14.20 and

(i) have satisfactorily completed a minimum of six credit hours in early childhood education or completes the minimum credit hours within one year of the date the teacher's employment with the early education program begins; or

(ii) have two or more years of experience teaching kindergarten or another early education program and have completed additional coursework related to reading instruction, as required by the department;

(C) developmentally appropriate objectives for children four and five years of age rather than academic standards appropriate for older children; the objectives must allow school districts to adapt the content of an early education program to be culturally responsive to local communities; and

(D) accommodations for the needs of all early education children and their families regardless of socioeconomic circumstances
[REPEALED].

* Sec. 18. AS 14.07.168 is amended to read:

Sec. 14.07.168. Report to the legislature. Not later than the 30th legislative day of each regular session of the legislature, the board shall prepare and present in person to the legislative committees having jurisdiction over education an annual

report that describes the efforts of the board to develop, maintain, and continuously improve a comprehensive quality public education system, as provided for under the bylaws of the board. The report must include

(1) a summary of the resolves and rationales provided in support of policy decisions made under AS 14.03.015;

(2) program and curriculum changes made, discussed, or recommended in meetings held under AS 14.07.125;

(3) additional information relevant to efforts made to improve and maintain the public education system

(4) a summary of implementation and utilization of the consortium established under AS 14.30.800, including a review of consortium effectiveness and the participation rates of districts, teachers, and students.

* Sec. 19. AS 14.07.180(a) is amended to read:

(a) Notwithstanding any other provision of law, the board shall establish standards and a procedure for the review, ranking, and approval of mathematics and English and language arts curricula for school districts to use in each grade level as provided in this section. The board may include curricula delivered through virtual education in the standards and procedure established under this subsection. **Standards established for the review, ranking, and approval of language arts curricula for early education programs and grades kindergarten through three must be based on the five components of evidence-based reading instruction identified by the National Reading Panel.**

* Sec. 20. AS 14.14.115(a) is amended to read:

(a) To encourage cooperative arrangements between school districts **and between school districts and private businesses, nonprofit organizations, or government agencies** to provide more efficient or economical administrative or educational services, a school district may receive a one-time cooperative arrangement grant from the department of up to \$100,000. **The department shall ensure that grant funds provided to districts under this section do not provide direct benefit to private educational institutions.**

* Sec. 21. AS 14.17.500 is amended by adding a new subsection to read:

(d) Except as provided in AS 14.17.905(d), a student in an early education program provided by a school district and approved by the department under AS 14.07.020(a)(8) is counted as one-half of a full-time equivalent student.

* **Sec. 22.** AS 14.17.500(d), enacted by sec. 21 of this Act, is amended to read:

(d) **A school district may not include** [EXCEPT AS PROVIDED IN AS 14.17.905(d),] a student in an early education program provided by **the** [A SCHOOL] district **in a school's ADM** [AND APPROVED BY THE DEPARTMENT UNDER AS 14.07.020(a)(8) IS COUNTED AS ONE-HALF OF A FULL-TIME EQUIVALENT STUDENT].

* **Sec. 23.** AS 14.17.505(a) is amended to read:

(a) A district may not accumulate in a fiscal year an unreserved portion of its year-end fund balance in its school operating fund, as defined by department regulations, that is greater than **50** [10] percent of its expenditures for that fiscal year.

* **Sec. 24.** AS 14.17.505(a), as amended by sec. 23 of this Act, is amended to read:

(a) **Except as provided in (c) of this section, a** [A] district may not accumulate in a fiscal year an unreserved portion of its year-end fund balance in its school operating fund, as defined by department regulations, that is greater than **25** [50] percent of its expenditures for that fiscal year.

* **Sec. 25.** AS 14.17.505(b) is amended to read:

(b) The department shall review each district's annual audit under AS 14.14.050 for the preceding fiscal year to ascertain its year-end operating fund balance. The amount by which the unreserved portion of that balance exceeds the amount permitted in (a), **or (c) if the district is eligible,** of this section shall be deducted from the state aid that would otherwise be paid to the district in the current fiscal year.

* **Sec. 26.** AS 14.17.505 is amended by adding a new subsection to read:

(c) A district may accumulate in a fiscal year an unreserved portion of its year-end fund balance in its school operating fund, as defined by department regulations, that is not greater than 50 percent of its expenditures for that fiscal year, if

(1) the average reading proficiency score in the district on the National Assessment of Educational Progress reading assessment exceeds the national average;

1 or

2 (2) reductions in non-instruction costs account for the unreserved
3 portion of the district's year-end fund balance in its school operating fund that is
4 greater than 25 percent of its expenditures for that fiscal year, and the district

5 (A) submits and the department approves a plan to use this
6 unreserved fund balance for the purpose of improving student reading
7 proficiency;

8 (B) submits an annual plan implementation report with a
9 narrative; and

10 (C) executes the plan within three years.

11 * **Sec. 27.** AS 14.17.905(a) is amended to read:

12 (a) For purposes of this chapter, the determination of the number of schools in
13 a district is subject to the following:

14 (1) a community with an ADM of at least 10, but not more than 100,
15 shall be counted as one school;

16 (2) a community with an ADM of at least 101, but not more than 425,
17 shall be counted as

18 (A) one elementary school, which includes those students in
19 grades kindergarten through six **and, except as provided in (d) of this**
20 **section, in an early education program provided by a school district and**
21 **approved by the department under AS 14.07.020(a)(8);** and

22 (B) one secondary school, which includes students in grades
23 seven through 12;

24 (3) in a community with an ADM of greater than 425, each facility that
25 is administered as a separate school shall be counted as one school, except that each
26 alternative school with an ADM of less than 175 shall be counted as a part of the
27 school in the district with the highest ADM.

28 * **Sec. 28.** AS 14.17.905(a), as amended by sec. 27 of this Act, is amended to read:

29 (a) For purposes of this chapter, the determination of the number of schools in
30 a district is subject to the following:

31 (1) a community with an ADM of at least 10, but not more than 100,

1 shall be counted as one school;

2 (2) a community with an ADM of at least 101, but not more than 425,
3 shall be counted as

4 (A) one elementary school, which includes those students in
5 grades kindergarten through six [AND, EXCEPT AS PROVIDED IN (d) OF
6 THIS SECTION, IN AN EARLY EDUCATION PROGRAM PROVIDED BY
7 A SCHOOL DISTRICT AND APPROVED BY THE DEPARTMENT
8 UNDER AS 14.07.020(a)(8)]; and

9 (B) one secondary school, which includes students in grades
10 seven through 12;

11 (3) in a community with an ADM of greater than 425, each facility that
12 is administered as a separate school shall be counted as one school, except that each
13 alternative school with an ADM of less than 175 shall be counted as a part of the
14 school in the district with the highest ADM.

15 * **Sec. 29.** AS 14.17.905 is amended by adding a new subsection to read:

16 (d) A school district may not include in a school's ADM students who are four
17 and five years of age if the students are enrolled in an early education program that
18 receives state or federal funding other than funding under this chapter.

19 * **Sec. 30.** AS 14.20.015(c) is amended to read:

20 (c) The preliminary teacher certificate issued under this section must contain
21 the same endorsements as those on the current valid teacher certificate issued by the
22 other state. **However, a teacher holding a preliminary teacher certificate issued**
23 **under this section may teach grades kindergarten through three if the teacher**
24 **completes coursework, training, or testing requirements in evidence-based**
25 **reading instruction approved by the board in regulation. A teacher may apply**
26 **coursework, training, or testing requirements completed under this subsection**
27 **toward continuing education requirements established by the board in**
28 **regulation.**

29 * **Sec. 31.** AS 14.20.020(i) is amended to read:

30 (i) **A** [BEGINNING ON JULY 1, 1998, A] person is not eligible for an initial
31 regular teacher certificate unless the person has taken and successfully completed a

competency examination or examinations designated, at the time the person took the test, by the board. The board shall review nationally recognized examinations that are designed to test the competency of new teachers and shall designate those examinations that it finds adequately test the skills and abilities of new teachers. For each examination designated under this subsection, the board shall establish the minimum acceptable level of performance, including a passing score. The board shall reevaluate the passing score for a competency examination at least once every five years and shall review each examination designated by the board at least once every three years. The board shall prioritize the review of those examinations for which the minimum passing score deviates the most from the mean passing score adopted by other jurisdictions. When reevaluating a passing score for a competency examination, the board shall consider the historical effect of the established passing score, the potential effect of changing the passing score, and the passing score currently used for the examination by other jurisdictions. The board may allow a teacher who passed a comparable competency examination required by another jurisdiction to use a score from the other jurisdiction to satisfy the competency examination requirements under this subsection. The board shall adopt regulations to implement this subsection. A regulation that changes the passing score on a competency examination takes effect on the date that is one year after the date the board adopts the regulation, or a later date prescribed by the board. In this subsection, "competency examination" includes a basic competency examination with components in reading, writing, and mathematics and a subject area examination that is specific to the subject area in which the teacher will be teaching.

* Sec. 32. AS 14.20.020 is amended by adding a new subsection to read:

(l) Before teaching students in grades kindergarten through three, a teacher certificated under this section must complete coursework, training, or testing requirements in evidence-based reading instruction approved by the board in regulation. A teacher may apply coursework, training, or testing requirements completed under this subsection toward continuing education requirements established by the board in regulation.

* **Sec. 33.** AS 14.30 is amended by adding new sections to read:

Article 15. Reading Intervention.

Sec. 14.30.760. Statewide assessment and support. (a) To implement the district reading intervention services established under AS 14.30.765, the department shall

(1) adopt a statewide screening or assessment tool to administer to students in grades kindergarten through three to identify students with reading deficiencies, including students with characteristics of dyslexia; the screening or assessment tool must evaluate

(A) phonemic awareness, letter naming fluency, letter sound fluency, and letter word sound fluency of students in kindergarten;

(B) letter word sound fluency and oral reading fluency of students in grade one;

(C) vocabulary and oral reading fluency of students in grades two and three;

(2) support teachers of grades kindergarten through three by

(A) administering the statewide screening or assessment tool three times each school year, once in the fall, once in the winter, and once in the spring, to all students in grades kindergarten through three, with the exception of students who demonstrate sufficient reading skills on the first screening or assessment of the school year;

(B) providing methods to monitor student progress;

(C) providing targeted instruction based on student needs as determined by the results of the screening or assessment tool; and

(D) providing additional assistance as determined by the department;

(3) provide training to school district staff related to using the results of the statewide screening or assessment tool and understanding evidence-based reading interventions, including explicit and systematic instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(4) establish a process that allows the commissioner to waive, upon

request, use of the statewide screening or assessment tool required under this subsection by a school district if the school district has adopted an evidence-based reading screening or assessment tool and the screening or assessment tool is approved by the department;

(5) review and approve alternative standardized reading screenings or assessments for use by school districts.

(b) In adopting a statewide screening or assessment tool under (a)(1) of this section, the department shall consider the following factors:

(1) the amount of time needed to administer the screening or assessment, with the intention of minimizing effects on instructional time;

(2) the time frame for reporting screening or assessment results to teachers, administrators, and parents or guardians;

(3) the integration of the screening or assessment with student instruction and department support; and

(4) recommendations from a task force, working group, or committee created by law and charged with studying issues related to reading proficiency and reading deficiencies.

Sec. 14.30.765. Reading intervention services and strategies; retention. (a)

Each school district shall offer intensive reading intervention services to students in grades kindergarten through three who exhibit a reading deficiency to assist students in achieving reading proficiency at or above grade level by the end of grade three. The district shall provide the intensive reading intervention services in addition to the core reading instruction that is provided to all students in the general education classroom. The intensive reading intervention services must, to the extent practicable,

(1) be provided by a district reading teacher, or paraprofessional under the supervision of a reading teacher, to all students in grades kindergarten through three who are determined to have a reading deficiency based on the statewide screening or assessment tool adopted under AS 14.30.760(a)(1);

(2) provide explicit and systematic instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension, as necessary;

(3) use evidence-based reading intervention methods that have shown

1 proven results in accelerating student reading achievement within a single school year;

2 (4) include instruction with detailed explanations, extensive
3 opportunities for guided practice, and opportunities for error correction and feedback;

4 (5) incorporate daily targeted small group reading instruction based on
5 student needs, either in person or online;

6 (6) monitor the reading progress of each student's reading skills
7 throughout the school year and adjust instruction according to student needs;

8 (7) be implemented during regular school hours through any available
9 method, including in person or through online delivery by teachers or specialty
10 reading coaches;

11 (8) be implemented outside of regular school hours, as directed in the
12 student's individual reading improvement plan under (b) of this section, for a student
13 who scores at the lowest achievement level on the statewide screening or assessment
14 tool; and

15 (9) be reviewed based on a department-approved response to
16 intervention or multi-tiered system support models, addressing additional support and
17 services needed to remedy identified needs.

18 (b) In addition to the reading intervention services provided under (a) of this
19 section, a school district shall provide an individual reading improvement plan for
20 each student in grades kindergarten through three who is determined to have a reading
21 deficiency based on the statewide screening or assessment tool. An individual reading
22 improvement plan developed under this section must

23 (1) be implemented not later than 30 days after identification of the
24 reading deficiency;

25 (2) be created by the student's reading teacher in consultation with the
26 school principal, the student's parents or guardians, and other pertinent district staff;

27 (3) describe the evidence-based reading intervention services the
28 student will receive to achieve and demonstrate sufficient reading skills;

29 (4) provide reading intervention services outside of regular school
30 hours for a student who scores at the lowest achievement level on the statewide
31 screening or assessment tool consistent with (a)(8) of this section;

(5) include a process for monitoring progress and adjusting the plan based on student needs; and

(6) provide to the student's parents or guardians at least 10 reading progress updates each school year.

(c) If at any time during the school year a student in grades kindergarten through three demonstrates a reading deficiency, the district or school shall notify the student's parents or guardians in writing or during a conference. The initial notification must

(1) be provided to the student's parents or guardians not later than 15 days after identification of the reading deficiency;

(2) state that the district identified the student as having a reading deficiency and that a reading improvement plan will be developed under (b) of this section;

(3) describe current services that the district is providing to the student;

(4) describe the proposed evidence-based reading intervention and supplemental instructional services and supports that the district will provide to the student to improve the identified area of reading deficiency;

(5) explain that the district or school will inform the parents or guardians in writing of the student's progress toward grade level reading as outlined in the student's individual reading improvement plan;

(6) identify strategies for the parents or guardians to use at home to help the student succeed in reading;

(7) explain that if the student has a reading deficiency at the end of the school year, the student may be retained unless the student

(A) receives a waiver under (f) of this section;

(B) receives an exemption under (h) of this section; or

(C) has previously been retained in kindergarten, grade one, grade two, or grade three;

(8) explain that a student in grade three should demonstrate sufficient reading skills to progress to grade four under (e) of this section, unless the student receives a waiver under (f) of this section, receives an exemption under (h) of this

1 section, or has previously been retained in kindergarten, grade one, grade two, or
2 grade three; and

3 (9) explain the process and deadline to request a waiver under (f) of
4 this section or an exemption under (h) of this section.

5 (d) If, not later than 45 days before the end of the school year, a teacher
6 determines that a student in grades kindergarten through three has a reading
7 deficiency, the student's teacher and other pertinent district staff shall provide written
8 notification to and meet with the student's parents or guardians to determine whether
9 the student will be able to maintain adequate academic progress at the next grade level
10 and discuss grade level retention as an intervention strategy. School staff shall work
11 with the parents or guardians to schedule a date, time, and place for the meeting and, if
12 no parent or guardian attends the meeting, the teacher and school staff shall determine
13 whether the student will progress to the next grade.

14 (e) A student in grade three should demonstrate sufficient reading skills to
15 progress to grade four. A student demonstrates sufficient reading skills to progress to
16 grade four by

17 (1) scoring at grade level or higher on the statewide screening or
18 assessment tool or on the statewide summative assessment;

19 (2) achieving an acceptable score on an alternative standardized
20 reading screening or assessment as determined and approved by the department; or

21 (3) demonstrating mastery of reading standards through a student
22 reading portfolio based on criteria established by the department.

23 (f) A district shall adopt a policy for grade level progression. At a meeting
24 described in (d) of this section for a student in grade three, the participants shall decide
25 whether the student will progress to grade four. If the parents or guardians, the teacher,
26 and participating staff do not agree that the student should progress to grade four, and
27 the district grade level progression policy does not prohibit the student's progression,
28 the parents or guardians may decide to progress the student to grade four. Parents or
29 guardians who decide to progress a student to grade four without the agreement of the
30 teacher and participating staff shall sign a waiver developed by the department
31 acknowledging that the student is not prepared and agreeing that the student will

1 participate in an additional 20 hours of individual reading improvement plan
2 intervention services during the summer before the student enters grade four.

3 (g) The department shall develop a program to provide recognition to districts,
4 schools, school staff, and students for increases in the percentage of students in grade
5 three who demonstrate sufficient reading skills under (e) of this section.

6 (h) A school board may exempt a student from grade level retention for good
7 cause. A good cause exemption is limited to

8 (1) a student with a disability whose individualized education plan
9 under AS 14.30.278 exempts the student from participation in the statewide screening
10 or assessment tool;

11 (2) a student with a disability who participates in the statewide
12 screening or assessment tool and has an individualized education plan under
13 AS 14.30.278 or a plan under 29 U.S.C. 794 that reflects that the student has received
14 intensive reading intervention services for two years or more but still demonstrates a
15 reading deficiency;

16 (3) a student who has received intensive reading intervention services
17 for two or more years but still demonstrates a reading deficiency; or

18 (4) a student whose primary language is other than English and who
19 has had less than two years of instruction in an English language learning program.

20 (i) A student's parent or guardian may request that the student receive a good
21 cause exemption under (h) of this section by submitting documentation to the principal
22 of the school in which the student is enrolled showing that an exemption is
23 appropriate. If the principal determines that the student meets one of the exemptions
24 under (h) of this section, the principal shall recommend to the school board in writing
25 that the school board grant the student a good cause exemption. The school board shall
26 accept or reject the principal's recommendation in writing and provide notice of its
27 decision to the student's parents or guardians and the principal.

28 (j) If a student in grade three does not demonstrate sufficient reading skills to
29 progress to grade four under (e) of this section, the district or school in which the
30 student is enrolled shall provide written notification to the student's parent or guardian
31 not later than 45 days before the end of the school year. The written notification must

(1) state that the student did not demonstrate sufficient reading skills to progress to grade four;

(2) explain the implementation of intervention or progression and retention strategies;

(3) describe the current services being provided to the student; and

(4) if the student's parents or guardians requested a good cause exemption under (h) of this section and the school board rejected the request, include a statement that the request for a good cause exemption was rejected and a copy of the written notification the school board provided the parents or guardians under (i) of this section.

(k) For a student who does not progress to the next grade level under (d) or (e) of this section, or who progresses to the next grade level with a waiver under (f) of this section or a good cause exemption under (h) of this section, the district in which the student is enrolled shall

(1) review the student's individual reading improvement plan;

(2) provide intensive reading intervention services to improve the area of reading deficiency using effective instructional strategies to accelerate student progress;

(3) provide additional services and support to improve the student's identified area of reading deficiency, including

(A) a transitional instructional setting that is designed to produce learning gains;

(B) supplemental tutoring offered by a person with specialized reading training;

(C) an increase in time dedicated to the reading instruction methods described in (a)(3) - (5) of this section, including more extensive opportunities for guided practice and error correction and feedback;

(4) a plan for reading at home outlined in an agreement with the parents or guardians, including parent participation in training workshops and regular parent-guided home reading activities.

(l) A school district shall adopt a policy providing for mid-year promotion of a

1 student who does not progress to grade four under (e) of this section if the student

2 (1) demonstrates sufficient reading skills to progress to grade four on
3 the fall or winter statewide screening or assessment; and

4 (2) meets additional requirements determined by the district, including
5 satisfactory achievement in other subject areas.

6 (m) A district shall, for the remainder of the academic year, and, if necessary,
7 for additional school years, continue to implement an individual reading improvement
8 plan for a student promoted mid-year under (l) of this section.

9 (n) A district or school may not retain a student under this section who was
10 previously retained in kindergarten, grade one, grade two, or grade three.

11 (o) In this section, "reading teacher" means a teacher who

12 (1) holds a valid teacher certificate under AS 14.20;

13 (2) has demonstrated effectiveness in instructing students to read at or
14 above grade level as measured by student reading performance data and in teacher
15 performance evaluations; and

16 (3) meets the requirements established by the state Board of Education
17 and Early Development in regulation.

18 **Sec. 14.30.770. Department reading program.** (a) The department shall
19 establish a reading program to provide direct support for and intervention in intensive
20 reading intervention services annually in the lowest-performing 25 percent of schools
21 serving students in grades kindergarten through three as determined under
22 AS 14.03.123, selecting not more than five participating schools each year. A school
23 participating in the reading program that remains in the lowest-performing 25 percent
24 of schools as determined under AS 14.03.123 may apply to participate in the reading
25 program again in the following school year. State funding provided to participating
26 schools for implementation of the reading program is in addition to the amount of
27 funding provided under AS 14.17. In conducting the program, the department shall

28 (1) use the accountability system established in AS 14.03.123 to
29 identify low performing schools;

30 (2) establish an application process for school districts to apply to
31 participate in the program;

1 (3) select low performing schools from the schools that apply to
2 participate in the program;

3 (4) employ and assign a reading specialist for each school selected to
4 direct the implementation of the intensive reading intervention services established
5 under AS 14.30.765 by

6 (A) modeling effective instructional strategies for teachers by
7 working regularly with students as a class, in small groups, or individually;

8 (B) coaching and mentoring teachers and staff in reading
9 instruction with an emphasis on prioritizing time in a manner that has the
10 greatest positive effects on student achievement;

11 (C) training teachers in data analysis and using data to
12 differentiate instruction;

13 (D) leading and supporting reading leadership teams; and

14 (E) reporting on school and student performance to the
15 department;

16 (5) establish a reporting process for each reading specialist to submit
17 updates to the department on implementation of the program;

18 (6) work with reading specialists to create specific improvement goals
19 for each school selected, including measures of interim progress;

20 (7) select and purchase additional reading material for each school
21 selected to supplement the intensive reading intervention services;

22 (8) pay travel and associated costs for a reading specialist to attend
23 relevant training sessions identified by or hosted by the department;

24 (9) periodically review staff development programs for their
25 effectiveness in developing reading skills and, after consultation with school districts
26 and experts, recommend to the board for approval staff development programs that

27 (A) have been proven to assess and accelerate student progress
28 toward reaching reading competency;

29 (B) provide explicit and systematic skill development in the
30 areas of phonemic awareness, phonics, fluency, vocabulary, and
31 comprehension;

(C) are evidence-based and reliable;

(D) provide initial and ongoing analysis of student progress toward reaching reading competency; and

(E) include texts on core academic content to assist students in maintaining or meeting grade-appropriate proficiency in academic subjects in addition to reading;

(10) annually convene, either in person or electronically, a panel made up of teachers of grades kindergarten through three, school administrators, and parents of students in grades kindergarten through three to review and provide commentary on the effectiveness of the reading intervention programs established under AS 14.30.760 - 14.30.775.

(b) A school selected to participate in the reading program established under this section shall

(1) ensure that a reading specialist assigned to the school is not required to perform functions that divert from the duties the department has assigned to the reading specialist;

(2) coordinate with the reading specialist or specialists to redesign the school's daily schedule to dedicate time to reading program activities, including intensive reading intervention services identified in a written agreement between the school and the department;

(3) present on the reading program established under this section and the intensive reading intervention services established under AS 14.30.765 at a public meeting; the presentation must include

(A) the data the department used to identify the school as eligible for the reading program;

(B) a detailed overview of the reading program and intensive reading intervention services;

(C) a timeline for implementing the intensive reading intervention services and meeting reading improvement goals; and

(D) the implications of the program for students, families, and educators;

(4) provide notice of the public meeting required under (3) of this subsection to the parents or guardians of each student at least seven days before the date of the meeting;

(5) present an annual update on the school's implementation of the reading program and intensive reading intervention services at a public meeting with notice provided to the parents or guardians of each student at least seven days before the date of the meeting;

(6) create partnerships between the school, the families of students, and the community that focus on promoting reading and increasing the amount of time that students spend reading.

(c) The department shall publish on the department's Internet website and make available to the public

(1) a completed application from each school selected to participate in the reading program;

(2) the reading program and intensive reading intervention services implemented by each school selected to participate; and

(3) a data analysis conducted by an independent contractor of the success of the reading program and intensive reading intervention services.

(d) The department may employ a person as a reading specialist under this section if the person

(1) holds a valid teacher certificate issued under AS 14.20;

(2) has completed an approved graduate program for the preparation of reading specialists at an approved institution of higher education and

(A) has completed a supervised practicum or internship as a reading specialist; or

(B) has at least three years of full-time, demonstrated classroom teaching experience where reading instruction was a primary responsibility;

(3) is knowledgeable about and demonstrates competency in reading instruction, including

(A) an understanding of the five components of reading

instruction identified by the National Reading Panel;

(B) knowledge of and experience in implementing effective reading instruction strategies and intervention methods;

(C) experience in designing and implementing a school-wide response to intervention program or multi-tiered system support model;

(D) an understanding of and experience in reading screenings or assessments and data analyses that inform instruction;

(E) knowledge of dyslexia and other learning disorders that affect reading achievement;

(F) knowledge of and an ability to effectively articulate the methods, issues, and resources involved in support of student instruction to a wide variety of audiences, including staff, parents, and students whose primary language is other than English; and

(4) meets other reading instruction coursework requirements established by the department in regulation.

Sec. 14.30.775. Definitions. In AS 14.30.760 - 14.30.775,

(1) "district" has the meaning given in AS 14.17.990;

(2) "evidence-based reading intervention" means an intervention based on reliable, trustworthy, and valid evidence that has a demonstrated record of success in adequately increasing a student's reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, oral language skills, and reading comprehension;

(3) "parent" or "guardian" includes a natural, adoptive, and foster parent, stepparent, legal guardian, relative, and other adult person with whom a student has resided and who has acted as a parent in providing for the student or has been responsible for the student's welfare for a continuous period.

* **Sec. 34.** AS 14.30.765(c), enacted by sec. 33 of this Act, is amended to read:

(c) If at any time during the school year a student in grades kindergarten through three demonstrates a reading deficiency, the district or school shall notify the student's parents or guardians in writing or during a conference. The initial notification must

(1) be provided to the student's parents or guardians not later than 15 days after identification of the reading deficiency;

(2) state that the district identified the student as having a reading deficiency and that a reading improvement plan will be developed under (b) of this section;

(3) describe current services that the district is providing to the student;

(4) describe the proposed evidence-based reading intervention and supplemental instructional services and supports that the district will provide to the student to improve the identified area of reading deficiency;

(5) explain that the district or school will inform the parents or guardians in writing of the student's progress toward grade level reading as outlined in the student's individual reading improvement plan;

(6) identify strategies for the parents or guardians to use at home to help the student succeed in reading;

(7) explain that if the student has a reading deficiency at the end of the school year, the student may be retained unless the student

(A) receives a waiver under (f) of this section;

(B) receives an exemption under (h) of this section; or

(C) has previously been retained in kindergarten, grade one, grade two, or grade three;

(8) explain that a student in grade three **must** [SHOULD] demonstrate sufficient reading skills to progress to grade four under (e) of this section, unless the student receives a waiver under (f) of this section, receives an exemption under (h) of this section, or has previously been retained in kindergarten, grade one, grade two, or grade three; and

(9) explain the process and deadline to request a waiver under (f) of this section or an exemption under (h) of this section.

* **Sec. 35.** AS 14.30.765(e), enacted by sec. 33 of this Act, is amended to read:

(e) A student in grade three **must** [SHOULD] demonstrate sufficient reading skills to progress to grade four. A student demonstrates sufficient reading skills to progress to grade four by

(1) scoring at grade level or higher on the statewide screening or assessment tool or on the statewide summative assessment;

(2) achieving an acceptable score on an alternative standardized reading screening or assessment as determined and approved by the department; or

(3) demonstrating mastery of reading standards through a student reading portfolio based on criteria established by the department.

* **Sec. 36.** AS 14.30 is amended by adding a new section to read:

Article 16. Virtual Education.

Sec. 14.30.800. Virtual education consortium. (a) The department shall, in cooperation with school districts, establish a virtual education consortium for the purpose of making virtual education and professional development resources available to students and teachers in the state. The department shall establish standards for consortium resources. The consortium shall create and maintain a database of virtual education courses for students, training in virtual instruction for teachers, and professional development courses for teachers of students throughout the state if the coursework curriculum meets the state standards established by the department. The database must be accessible to all school districts that participate in the consortium.

(b) For teachers delivering or facilitating virtual coursework to students through the consortium database, the consortium shall provide training and professional development on virtual instruction methods and the differences between virtual instruction and instruction offered in a classroom. A teacher may not provide instruction through a course for students that is in the database unless

(1) the teacher has completed the training or professional development provided by the consortium; or

(2) the consortium determines that the teacher's previous experience has prepared the teacher to provide virtual instruction and the teacher demonstrates the skills necessary to provide virtual instruction.

(c) The consortium shall employ a reading specialist available to school districts to provide virtual intensive reading intervention services. The duties of the reading specialist include

(1) modeling effective instructional strategies for teachers by working

1 regularly with students as a class, in small groups, or individually;

2 (2) coaching and mentoring teachers and staff in reading instruction
3 with an emphasis on prioritizing time in a manner that has the greatest positive effects
4 on student achievement;

5 (3) training teachers in data analysis and using data to differentiate
6 instruction;

7 (4) leading and supporting reading leadership teams; and

8 (5) reporting on school and student performance to the department.

9 (d) The department may require a school district that participates in the
10 consortium to pay a fee to the consortium. If the department requires a fee, the
11 department shall establish the fee in regulations, based on a recommendation made by
12 the consortium, and may adjust the fee annually as necessary. The fees must
13 approximately equal the consortium's prorated administrative costs related to
14 reviewing and approving courses and maintaining the database.

15 (e) A school district that provides a course included in the database may
16 charge a fee to the school district in which a student who takes the course is enrolled.
17 The department shall establish the fee in regulations.

18 (f) The consortium may require, as a condition of participation, that school
19 districts that provide courses or have students participating in courses included in the
20 database under (a) of this section adopt the same school term and class schedule for all
21 or part of a school day. The school term must meet the requirements of AS 14.03.030.

22 (g) In this section, "virtual education" or "virtual instruction" means
23 instruction delivered through telecommunications or another digital or electronic
24 method.

25 * **Sec. 37.** AS 47.17.290(12) is amended to read:

26 (12) "organization" means a group or entity that provides care and
27 supervision for compensation to a child not related to the caregiver, and includes a
28 child care facility, pre-elementary school, early education program, head start
29 center, child foster home, residential child care facility, recreation program, children's
30 camp, and children's club;

31 * **Sec. 38.** AS 14.03.410, 14.03.420; AS 14.07.165(a)(5); and AS 14.17.905(d) are repealed.

1 * **Sec. 39.** AS 14.30.770 is repealed.

2 * **Sec. 40.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 VIRTUAL EDUCATION AVAILABILITY DEADLINE. The Department of
5 Education and Early Development shall make available virtual education courses and
6 professional development resources under sec. 36 of this Act on or before July 1, 2023.

7 * **Sec. 41.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 APPLICABILITY. Section 32 of this Act applies,

10 (1) on the effective date of sec. 32 of this Act, to teachers who begin teaching
11 students in grades kindergarten through three on and after the effective date of sec. 32 of this
12 Act;

13 (2) on July 1, 2023, to teachers who began teaching students in grades
14 kindergarten through three before the effective date of sec. 32 of this Act.

15 * **Sec. 42.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 REPORT BY DEPARTMENT. Not later than January 1, 2028, the Department of
18 Education and Early Development shall prepare and present in person to the legislative
19 committees having jurisdiction over education a report evaluating the effectiveness of the
20 reading specialists implementing intensive reading intervention services.

21 * **Sec. 43.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 TRANSITION. To determine the lowest performing five districts for purposes of grant
24 eligibility under sec. 10 of this Act, in fiscal year 2022, the Department of Education and
25 Early Development shall use school accountability rankings from the 2019-2020 school year.

26 * **Sec. 44.** Sections 7, 24 - 26, 34, and 35 of this Act take effect July 1, 2026.

27 * **Sec. 45.** Sections 12, 16, and 39 of this Act take effect June 30, 2028.

28 * **Sec. 46.** Sections 3, 13, 22, 28, and 38 of this Act take effect June 30, 2032.

29 * **Sec. 47.** Except as provided in secs. 44 - 46 of this Act, this Act takes effect July 1, 2021.